IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1980 OF 2005

1. Shanti G. Patel,
resident at Sneha Sadan,
B-11, Sitladevi Temple Road,
Mahim, Mumbai 400 016.

2. Raja Chimbulkar,
residing at 5/39, Imarkhadi
Cooperative Hsg. Soc. Ltd.
57-Ramchandra Bhat Marg,
Mumbai 400 009.

3. Joseph Bain D'Souza,
residing at Amber,
Master Vinayak Cross Road,
Bandra (W), Mumbai 400 050.

4. Dattatreya Mahadeo Sukthankar
residing at Priya, 5th Floor,
Worli Seaface, Mumbai 400 030.

5. Sadanand Varde,
residing at Kapilvastu,
S.V.Road, Bandra (W), Mumbai.

6. Achintya Mukherjee,
residing at Panchratna,
Prof.Almeida Road, Bandra (W),
Mumbai. PETITIONERS

VERSUS

1. State of Maharashtra
through its Secretary
Urban Development Department,
Mantralaya, Mumbai 400 020.

2. Municipal Corporation of Greater
Bombay (Established) by the
Bombay Municipal Corpn. Act, 66.

3. Municipal Commissioner of
Greater Bombay - both having
Offices at Mahapalika Marg,
Mumbai 400 001.

4. Maharashtra Housing and Area Development Authority - Griha Nirman Bhavan, Bandra-Kurla Complex, Bandra (E), Mumbai 400051.

5. National Textile Corporation (Maharashtra North) Ltd. NTC House, 15, N.M.Joshi Marg, Ballard Estate, Mumbai 400 001.

6. Maharashtra State Textile Corpn. (South Maharashtra), Appollo House, 382, N.N.Joshi Marg, Mumbai 400 001.

7. Bombay Dyeing & Manufacturing Company Limited, Naville House, J.N.Heredia Marg, Ballard Estate, Mumbai 400 001.

8. Bombay Mill Owners Association, Elphinstone Building, 2nd Floor, Mumbai Samachar Marg, Fort, Mumbai 400 008. RESPONDENTS

Mr.Kalsekar with Ms.Namrata Jaykar i/by M/s.M.V.Jaykar & Co. for the petitioners.
Mr.Ravi Kadam, Advocate General for respondent no.1.
Ms.Meena Doshi for respondents 5 and 6.
Mr.Rohit Kapadia with Mr.Percy Ghandy and S. Kanthawala i/by Federal & Rashmikant for respondent no.7.
Mr.J.J.Bhatt i/by Federal & Rashmikant for Mill Owner Association present.

CORAM : DR.S.RADHAKRISHNAN AND S.C.DHARMADHIKARI, JJ.

DATE : 17th October 2005.

PC :

1. After pronouncement of judgement, the learned counsel for National Textile Corporation and the learned counsel for all the Mill Owners apply for

stay of this judgement and order. The learned counsel for the petitioners strongly opposes. We do not find any ground to grant stay of this judgement and order, as all the constructions are in "standstill position" in view of the Stop Work Notices issued by the Mumbai Municipal Corporation and the Maharashtra Pollution Control Board. Hence, application for stay is rejected.

2. Issuance of certified copy of the judgement and order is expedited.

(DR.S.RADHAKRISHNAN, J.)

(S.C.DHARMADHIKARI, J.)